

**To:** Shaw, Hanh[Shaw.Hanh@epa.gov]; Thiesing, Mary[Thiesing.Mary@epa.gov]  
**From:** Douglas, Mark  
**Sent:** Wed 8/9/2017 6:55:54 PM  
**Subject:** RE: ASAP public comment period extension Hot Topic

Alright

Mark Douglas

Aquatic Resources Unit

Office of Environmental Review & Assessment

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**From:** Shaw, Hanh  
**Sent:** Wednesday, August 09, 2017 10:53 AM  
**To:** Douglas, Mark <douglas.mark@epa.gov>; Thiesing, Mary <Thiesing.Mary@epa.gov>  
**Subject:** RE: ASAP public comment period extension Hot Topic

Hi Mark, thank you for the draft hot topic. I think we have said most of this in the previous submissions. I propose the following. Please let me know if you have any edits.

Alaska Stand Alone Pipeline Draft SEIS and CWA 404 Public Notice – Comment Period Extension. On August 8, 2017, the Corps of Engineers extended the comment period for both actions to August 29 (previous due date was August 14). Region 10 is continuing our

coordination with the Office of Federal Activities and Office of Water regarding the proposed EO-2 rating and 404 comment letter, respectively. The NEPA rating is based on concerns regarding wetlands impacts, and air quality and drinking water issues. We plan to notify the Alaska District that the project may not comply with the CWA 404(b)(1) guidelines and the discharge of dredged or fill materials may result in substantial and unacceptable impacts to aquatic resources of national importance, including the wetlands and waters of the Yukon River, per paragraph IV(3)(a) of the 1992 CWA 404(q) MOA. In accordance with paragraph IV(3)(b) of the MOA, we will provide further comments within 25 calendar days. On August 28, staff and managers in OERA/ARU will participate in a briefing for Lee Forsgren. The briefing will cover the general wetlands regulatory program issues, with 15-20 minutes dedicated to the ASAP; however, OW has also offered a full briefing for this project. We are planning to send both letters to the Corps at the same time. (Contacts: Hanh Shaw 3-0171; Jill Nogi 3-1841)

**From:** Douglas, Mark

**Sent:** Wednesday, August 09, 2017 11:41 AM

**To:** Shaw, Hanh <[Shaw.Hanh@epa.gov](mailto:Shaw.Hanh@epa.gov)>; Thiesing, Mary <[Thiesing.Mary@epa.gov](mailto:Thiesing.Mary@epa.gov)>

**Subject:** ASAP public comment period extension Hot Topic

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**CWA 404 and NEPA Public Comment period extended to August 29<sup>th</sup> for Alaska Stand Alone Pipeline (ASAP) Project.** The ASAP project is proposed to provide natural gas for in-state use and is comprised of a 36-inch pipeline stretching approximately 733 miles from the North Slope to existing pipeline infrastructure in Southcentral Alaska; a 12-inch 30-mile-long lateral supply line to Fairbanks; and a gas conditioning facility (GCF) near Prudhoe Bay. The estimated wetland impacts are approximately 9,000 acres as reported by the applicant. We believe that the applicant's proposal may not comply with the CWA 404(b)(1) Guidelines. While our concerns include identification of the LEDPA and classification of temporary and indirect impacts in permafrost areas, our greatest concern is the applicant's proposed mitigation. Previous draft applications had referenced a need for, and intention to use, nearly 23 thousand mitigation credits to compensate for the impacts. The applicant currently proposes to compensate for the impacts with 80.78 credits. This represents mitigating for approximately 1% of proposed impacts. The 2012 DEIS was rated EO-2 by R10. ARU has discussed this with headquarters; the magnitude of the losses and unwillingness to provide compensatory mitigation for those losses is a serious failure to comply with the Guidelines, and we would like to send 404(q) 3(a) and (b) letters to preserve our ability to coordinate on the project in a substantive way.

A Draft Supplemental EIS for ASAP is concurrently available for comment. The Alaska District Corps of Engineers is the lead federal agency for developing the DSEIS. The comment period for both documents ends **August 29**. (Staff contacts: NEPA-Molly Vaughan (1-1215) and CWA 404-Mark Douglas (1-1217).

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